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10/539,018	11/30/2005	Herve Gouessant	0579-1094	7394

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EXAMINER	
ABRISHAMKAR, KAVEH	
ART UNIT	PAPER NUMBER
2431	

NOTIFICATION DATE	DELIVERY MODE
12/28/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

DocketingDept@young-thompson.com

Office Action Summary	Application No.	Applicant(s)	
	10/539,018	GOUESSANT ET AL.	
	Examiner	Art Unit	
	KAVEH ABRISHAMKAR	2431	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 August 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13 and 15-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-13, and 15-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This action is in response to the amendment filed on August 14, 2009. Claims 1-17 were previously pending consideration. Per the received amendment, claim 14 is cancelled.

2. Claims 1-13, and 15-27 are currently pending consideration.

Response to Arguments

Applicant's arguments filed on August 14, 2009 have been fully considered but they are not persuasive for the following reasons:

Regarding claim 1, the Applicant argues that the Cited Prior Art (CPA), Lee (U.S. Patent 5,923,759) in view of Pyle et al. (U.S. Patent 5,737,231), does not properly disclose direct memory access. This is not found persuasive. As Applicant concedes, Pyle does teach a DMA for transferring data (Pyle: column 10, lines 4-22). However, Applicant argues that Pyle is not properly directed towards a microcircuit card, and therefore, it would not have been obvious to combine the references. Pyle discloses using direct memory access to perform multiple transfers from a single fixed memory location or from sequential memory locations to the same number of sequential memory locations (Pyle: column 10, lines 4-22). It is not dispositive that the DMA is not used in a high security environment, and the Examiner contends that the references are properly combined using the motivation given above. Furthermore, the Applicant argues that the CPA does not disclose stream control means to control the transfer of

data. This argument is not found persuasive. Pyle discloses DMA circuitry which stores bits and then forwards data (Pyle: column 4, lines 1-22). This storing and forwarding is analogous to controlling the transfer of digital data and therefore the argument is not found persuasive. Finally, the Applicant argues that Lee does not teach a first input-output means for receiving digital data and a second input-output means for receiving preliminary data. The first input-output means is a smart card interface (column 3, lines 51-55). The second input-output means is interpreted as one of the other smart card interfaces which receives the MAC (preliminary data) and uses it to determine if the card is authentic, and based on that allows or disallows the complete transfer of data if the data is not authentic (Lee: column 7, lines 17-34). Therefore, the arguments presented are not persuasive, and the rejection is maintained as given below.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 16 is rejected under 35 U.S.C. 102(e) as being anticipated by Lee (U.S. Patent 5,923,759).

Regarding claim 16, Lee discloses:

first input-output means for receiving digital data (column 3, lines 51-59);

processing means for processing said digital data (column 3, lines 51-59);

transfer means for transferring said digital data between the first input-output means and a storage area (column 7, lines 18-34);

second input-output means for receiving preliminary data (column 7, lines 17-23).;

stream control means adapted to control the transfer of digital data taking into account the preliminary data (column 7, lines 17-34: *change switch between algorithms*).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-13, 15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee (U.S. Patent 5,923,759) in view of Pyle et al. (U.S. Patent 5,737,231).

Regarding claim 1, Lee discloses:

Microcircuit card including:

input-output means (14) for receiving a continuous stream digital data (DATA) (column 3, lines 51-59);

processing means (12) for processing said digital data (column 3, lines 51-59); and

stream control means (26) (column 3, lines 51-59), the microcircuit card being characterized in that the processing means (12) include:

transfer means (DMA) for transferring said continuous stream of digital data (DATA) between the input-output means (14) and a storage area (18) (column 7, lines 18-34); and

communication means (20) for communicating with the stream control means (26) security data (DATA_CTRL) obtained from said continuous stream of digital data (DATA), the stream control means (26) being adapted to control the transfer of the digital data (DATA) by the transfer means (DMA) taking into account said security data (DATA_CTRL) (column 7, lines 55-61).

Lee does not explicitly disclose that the transfer means include a DMA component. Pyle discloses a DMA controller that automatically transfers network frame data between the network controller and buffers in host system memory (Pyle: column 10, lines 4-22). It would have been obvious to one of ordinary skill in the art at the time of invention to use the DMA controller of Pyle in the system of Lee to allow multiple data transfers from a single fixed memory location or from sequential memory locations to the same number of sequential memory locations (Pyle: column 10, lines 4-22).

Claim 2 is rejected as applied above in rejecting claim 1. Furthermore, Lee discloses:

Microcircuit card according to claim 1, characterized in that said security data (DATA_CTRL) consists at least in part of a portion of said digital data (DATA) (column 7, lines 17-23).

Claim 3 is rejected as applied above in rejecting claim 2. Furthermore, Lee discloses:

Microcircuit card according to claim 2, characterized in that said security data (DATA_CTRL) includes authentication data (AUTH) for authenticating a portion (P1) of the digital data received by the card, the stream control means (26) being adapted to verify the validity of said digital data (DATA) on the basis of this authentication data (AUTH) and to control said transfer as a function of the result of this verification (column 7, lines 17-23).

Claim 4 is rejected as applied above in rejecting claim 1. Furthermore, Lee discloses:

Microcircuit card according to claim 1, characterized in that said processing means (12) are adapted to insert into said security data (DATA_CTRL) a result of processing said digital data (DATA) (column 7, lines 17-23).

Claim 5 is rejected as applied above in rejecting claim 4. Furthermore, Lee discloses:

Microcircuit card according to claim 4, characterized in that said processing result is the result of a step of authenticating said digital data (column 7, lines 29-34: *wherein after the data is deemed authentic the processor goes to the next step*).

Claim 6 is rejected as applied above in rejecting claim 1. Furthermore, Lee discloses:

Microcircuit card according to claim 1, characterized in that the stream control means are adapted to modify at least one operating parameter of said transfer means (DMA) (column 7, lines 17-34: *change switch between algorithms*).

Claim 7 is rejected as applied above in rejecting claim 6. Furthermore, Lee discloses:

Microcircuit card according to claim 6, characterized in that said parameter is selected from an address of said storage area (18) and a parameter for selecting a protocol for communication between the input-output means (14) and the storage area (18) (column 7, lines 17-34: *algorithm stored in memory*).

Claim 8 is rejected as applied above in rejecting claim 1. Furthermore, Lee discloses:

Microcircuit card according to claim 1, characterized in that said processing means (12) include a data compression unit (13), a data decompression unit, a data encryption unit or a data decryption unit (column 1, liens 1-15).

Claim 9 is rejected as applied above in rejecting claim 1. Furthermore, Lee discloses:

Microcircuit card according to claim 1, characterized in that said stream control means (26) are adapted to command stopping of the transfer of the continuous stream of digital data (DATA) by said transfer means (DMA) if they detect the presence of invalid authentication data in said digital data (DATA) on the basis of said security data (DATA_CTRL) (column 7, liens 19-33).

Claim 10 is rejected as applied above in rejecting claim 1. Furthermore, Lee discloses:

Microcircuit card according to claim 1, characterized in that the stream control means (26) are further adapted to obtain preliminary data directly from the input-output means (14), the stream control means (26) also taking account of the preliminary data in authorizing or refusing the transfer of the digital data (DATA) by the transfer means (DMA) (column 6, lines 37-44).

Claim 11 is rejected as applied above in rejecting claim 10. Furthermore, Lee discloses:

Microcircuit card according to claim 10, characterized in that said preliminary data includes authentication data (PASSWD) (column 7, lines 51-60: *PIN*).

Claim 12 is rejected as applied above in rejecting claim 10. Furthermore, Lee discloses:

Microcircuit card according to claim 10, characterized in that said data includes a storage address for said digital data (column 7, lines 23-24).

Claim 13 is rejected as applied above in rejecting claim 1. Furthermore, Lee discloses:

Microcircuit card according to claim 1, characterized in that it further includes regulation means (PLL) adapted to modify a clock frequency applied to the processing means (12) as a function of said security data (DATA_CTRL) (column 6, lines 20-25: *switching between synchronous and asynchronous clocks*).

Claim 15 is rejected as applied above in rejecting claim 11. Furthermore, Lee discloses:

Microcircuit card according to claim 11, characterized in that said data includes a storage address for said digital data (column 7, lines 17-23).

Claim 17 is rejected as applied above in rejecting claim 16. Lee does not explicitly disclose that the transfer means include a DMA component. Pyle discloses a

DMA controller that automatically transfers network frame data between the network controller and buffers in host system memory (Pyle: column 10, lines 4-22). It would have been obvious to one of ordinary skill in the art at the time of invention to use the DMA controller of Pyle in the system of Lee to allow multiple data transfers from a single fixed memory location or from sequential memory locations to the same number of sequential memory locations (Pyle: column 10, lines 4-22).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KAVEH ABRISHAMKAR whose telephone number is (571)272-3786. The examiner can normally be reached on Monday thru Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on 571-272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kaveh Abrishamkar/
Primary Examiner, Art Unit 2431

/K. A./
12/19/2009
Primary Examiner, Art Unit 2431